

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Dennis M. Cavanaugh
v. : Crim. No. 11-459
BLAS ERNERS ESPINAL-CABRERA, : ORDER FOR CONTINUANCE
a/k/a "Hermano" :
:

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (by Mary E. Toscano, Special Assistant U.S. Attorney), and defendant BLAS ERNERS ESPINAL-CABRERA (by Patrick J. Brackley), for an order granting a continuance of the proceedings in the above-captioned matter, and the defendant being aware that he has the right to have the matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court pursuant to Title 18 of the United States Code, Section 3161(c)(1), and as the defendant has consented to such a continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) The parties request an opportunity for sufficient time to review the evidence and engage in plea negotiations, which would render any subsequent trial of this matter unnecessary;


(2) Taking into account the exercise of diligence, therefore, the facts of this case require that defense counsel be permitted a reasonable amount of additional time to review the evidence with the defendant, and should plea negotiations fail, time for effective trial preparation in this matter.

(3) As a result of the foregoing, pursuant to Title 18, United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

IT IS, therefore, on this 30th day of January, 2012,

ORDERED that this action be, and hereby is, continued for a period of 60 days from January 29, 2012 to March 29, 2012; and it is further

ORDERED that the period from January 29, 2012 through March 29, 2012 shall be excludable in computing time under the Speedy Trial Act of 1974.


HON. DENNIS M. CAVANAUGH
United States District Judge

Form and entry
consented to:

Mary E. Toscano
Mary E. Toscano
Special Assistant U.S. Attorney

Patrick J. Brackley
Patrick J. Brackley
Counsel for defendant BLAS ERNERS ESPINAL-CABRERA